

KAYSVILLE CITY COUNCIL

Meeting Minutes

Aug 4, 2016

Minutes of a regular meeting of the Kaysville City Council held Thursday, August 4, 2016 at 7:00 p.m. in the City Council Chambers of the Kaysville City Municipal Center.

Council Members present: Mayor Steve Hiatt, Council Member Lee, Council Member Snell, Council Member Page, Council Member Adams and Council Member Garn.

Others present: City Manager Shayne Scott, City Engineer Andy Thompson, Zoning Administrator Lyle Gibson, City Recorder Maria Devereux, Parks Director Cole Stephens, Parks and Recreation Superintendent Vance Garfield, Gary Hatch, Power Superintendent, Police Chief Sol Oberg, David Robinson, Kate Hart, Tammy Wursten, Marilyn Boren, Margaret Brough, Katie Witt, Spencer Luke, Ron Zollinger, Kate Simpson, Frances Simpson, Tommy Jeffcott, Chris Treadwell, Kendall Treadwell, Ramona Porter, Brigg Lewis, Tony Jacobsen, Stewart Brough, Todd Brough, Curtis Cragun, Lauri Cragun, Angela Rawlings, Cade Rawlings, Carter Rawlings, Lorene Kamalu, Dan Udy.

Council Member Adams apologized to the citizens of Kaysville for the events that happened in regard to the water parade. He offered an apology for the stress that he has caused of late, and noted that his intent was pure.

Tommy Jeffcott provided the invocation.

PLAY UNPLUGGED

Council Member Lee announced the winners of the Play Unplugged drawing. She stated that Carter and Cade, twins, were the winners of the drawing. She thanked them for their participation this summer.

RECOGNITION OF TABITHA NIELSEN

Mayor Hiatt recognized six year old Tabitha Nielsen for *paying it forward* by selling lemonade to honor police officers. Tabitha donated the profits from her lemonade stand in light of the recent tragedy in Dallas, Texas. He thanked Tabitha for her generosity and kindness and presented Tabitha Nielsen with a proclamation declaring August 6th as Tabitha Nielsen Day. He read a letter from Governor Herbert expressing his pleasure for her leadership and good example. Mayor Hiatt invited the family to join the officers and City Council for pictures.

Chief Sol Oberg noted that he appreciates the officers and the Kaysville community. He thanked the Police Department, the City Council and Mayor for all they do.

Mayor Hiatt noted that sales from Tabitha's lemonade stand raised \$147.00.

VOLUNTEER OF THE MONTH

Council Member Snell congratulated Kim Williams Smith and Wendy Bennet. He noted that Kim founded the Kaysville Youth Court and Wendy volunteered to help. He noted that they have been working together for 16 years now. Council Member Snell extended his thanks to both of them for their generous and dedicated service throughout the years.

Mayor Hiatt and the City Council joined Kim and Wendy for pictures.

Ron Zollinger, with the Yard and Garden Committee explained that Kaysville City is the greatest place on earth to raise a family. He noted that the purpose of the committee is to instill a place where people live with productive gardens to make Kaysville beautiful. He explained the concept of the tour with 14 homes, six of which are in Kaysville, four homes are in Farmington and four homes are in Fruit Heights. He thanked the committee for allowing the public to explore their grounds.

Ron Zollinger thanked the Mayor and City Council, and praised City staff members Vance Garfield, Laura Holbrook and Jordan Hansen for their support.

Mayor Hiatt thanked the committee for their efforts and hard work.

PROPOSAL FOR OFFICER/FIRST RESPONDER RECOGNITION

Kendal Treadwell spoke on behalf of her mother, Julie Treadwell. She explained that on August 20th, 2015, her younger brother was injured in an accident and taken to the hospital via Life Flight. She stated that today he is doing well and just finishing his degree at BYU. She explained that they didn't have the ability to thank the first responders, and Officer Wilko at the time of the accident and would like to do so now. She stated her appreciation for police officers and first responders since they are first on scene.

She suggested a citywide effort be made to show the community's support by adding a message of positivity and support for our officers on marquees throughout Kaysville City.

Mayor Hiatt noted his appreciation and offered their support in this endeavor. He asked Kendal to send him her contact information for future reference. He thanked her for her attendance, thoughtfulness and positive contribution.

CALL TO THE PUBLIC

Mayor Hiatt explained that the City Council has been asked to restructure Call to the Public. He noted that they will still keep this agenda item at the beginning of the meeting but stated that he is open to change if the majority of the Council chooses a different structure. He asked that in the spirit of cooperation, and in respect for time, that comments be kept to a maximum three minute limit.

Mark London stated he lives close to Endeavor Elementary, and stated that he is concerned about curb and gutter not continuing along his property line. He explained that there is a 3-4 ft. drop-off that may be dangerous for children walking to school.

Mayor Hiatt suggested that Mark email the information to Council Member Page or the City Recorder and then they will look into the situation.

Marilyn Boren, Kaysville resident, explained that she has been embarrassed as a citizen of Kaysville of late due to the conduct of the Council. She stated that she has watched the Council Meetings online. She stated that if Kaysville is going to have a water parade that it should be put on by the City and not a private citizen. She stated that funds should be used by the City only for a City function.

David Robinson, resident, noted that he appreciates the spirit of this meeting and how it began. He explained that in regard to the public comment period that it would be helpful for the public to offer comments in regard to items that may arise after the public comment period when it is early on the agenda. Scheduling the public comment period near the end of the agenda would permit the public to comment on matters such as the Code of Ethics, the State Auditors Report, and the Public Works situation. He commended the City Recorder for the agenda and minutes being posted timely.

Briggs Lewis thanked Officers Turner and Martinez. He asked where to send comments in regard to the Ethics Code. He explained that Council Member Snell talking to the news was inappropriate and noted that utility rebates should be shared with the entire community rather than primarily the City Council.

Mayor Hiatt noted that comments in regard to the Code of Ethics can be made online on the front page of the City website.

Clay Allen noted that he works in media relations and stated that it is the Council's right to speak to the public and media at their discretion. He noted, per previous comment, that Council Member Snell and Council Member Garn discussed appropriate controls and were acting with tact during the previous Council meeting. He thanked them for their good work ethic.

John Cleary thanked Clay Allen for his comments and defense of Council Member Snell. He noted that he is fond of the water parade and stated that he remembers Kaysville residents being supportive of the growth of the town and the water parade.

Dave Davies explained that the best advice to give, when there is conflict, is to talk to the person directly. He feels there is vindictiveness that needs to be curbed. He stated that the City Council and Mayor have good intentions and that the apology given by Council Member Adams was appropriate.

Marc Robinson stated that he is discouraged by Council Member Adams. He suggested Council Member Adams resign or act more maturely.

Spencer Luke stated that the City Council should talk to each other. He asked if the formation of Power Commission item was related to solar power and thanked the Council for their time.

Mayor Hiatt explained that it was not related to solar power.

Margaret Brough, stated that she disagrees with comments made by the Robinsons and Council Member Snell.

Vance Garfield, Parks and Recreation Superintendent, noted that he has worked with Council Member Adams for the past 10 years in regard to the parade. He noted the high cost that Council Member Adams paid yearly, just to support the water parade with his vehicle. He explained that he should have asked the entire cost that Council Member Adams would need to use for his vehicle and repairs.

Mayor Hiatt noted that utility rebates may be available and can be found in the utility newsletter.

FORMATION OF POWER COMMISSION

Shayne Scott, City Manager, noted that he and Council Member Lee discussed creating a Power Commission, an advisory board, supported by talented individuals that may be interested.

Council Member Lee noted that having a Power Commission allows for people that have an affiliated background and knowledge to give support to the Council. She noted that there will be seven seats and there will be an application process, similar to appointment to Planning Commission.

Mayor Hiatt noted that Bountiful City has a Power Commission, and noted that one or two Council Members are on the board. He noted that it doesn't relinquish responsibility of the Council but enables them to receive detailed information.

Council Member Adams noted that this Commission could be beneficial and is a good idea.

City Manager Shayne Scott noted that having a Power Commission would benefit the City.

Mayor Hiatt noted that he would support giving staff direction to further explore a Power Commission, and have a public hearing to get feedback once information is available for review.

Council Member Lee made a motion to direct staff to put together documentation for a Power Commission and to have this ready for first meeting in September, and available to the public, second by Council member Adams.

The vote on the motion was as follows:

Council Member Snell, Yea
 Council Member Page, Yea
 Council Member Adams, Yea
 Council Member Garn, Yea
 Council Member Lee, Yea

The motion passed unanimously.

AWARD OF CONTRACT FOR HERITAGE PARK PARKING LOT PAVING PROJECT.

City Manager, Shayne Scott explained that lowest bidder was Post Asphalt and Construction, and came in at \$116,933.40. Council Member Chris Snell explained that the project includes paving and striping. He noted that the project includes asphalt removal, grading, road base, new asphalt, and associated work.

Council Member Snell made a motion to approve the contract and award the project to Post Asphalt and Construction, second by Council Member Page.

The vote on the motion was as follows:

Council Member Snell, Yea
Council Member Page, Yea
Council Member Adams, Yea
Council Member Garn, Yea
Council Member Lee, Yea

The motion passed unanimously.

HUNTING IN WEST KAYSVILLE

Mayor Hiatt noted that pheasant hunting has been approved in the past and has asked that this matter be brought to the Council annually to be approved. He stated that the letter explains that hunting is within 125 yards inside City limits and that the road to the west of the hunting position does not impose a hazard.

Council Member Lee, made a motion to approve hunting in West Kaysville for another year as per Mr. Holmes letter and clarifications where it is allowed, second by Council Member Page.

The vote on the motion was as follows:

Council Member Snell, Yea
Council Member Page, Yea
Council Member Adams, Yea
Council Member Garn, Yea
Council Member Lee, Yea

The motion passed unanimously.

PRELIMINARY PLAT APPROVAL FOR STREAMS EDGE SUBDIVISION

Lyle Gibson explained that at the last meeting the Council annexed this property and assigned the R-1-LD zone. He noted that the Council tabled the preliminary plat to allow the neighboring

property owners to talk to Mr. Jack Robbins, the original owner to see if he would allow any kind of a road thorough his remaining property to the subdivision.

Russ Wilson with Symphony homes noted that he spoke with Mr. Robbins and he is opposed to a permanent or temporary connection with his property. He noted that he has relayed information to the residents.

Council Member Adams noted his appreciation for Symphony Homes trying to mediate the issue.

Mayor Hiatt suggested that this item be tabled for two weeks to give residents time to comment.

Council Member Page made a motion to approve the Streams Edge Subdivision Preliminary Plat with the trail connection between Lots 8 and 9, second by Council Member Adams.

The vote on the motion was as follows:

Council Member Snell, Yea
 Council Member Page, Yea
 Council Member Adams, Yea
 Council Member Garn, Yea
 Council Member Lee, Yea

The motion passed unanimously.

WISER SUBDIVISION FINAL PLAT

Lyle Gibson explained that staff has reviewed the sidewalk connection and has concerns over the long term maintenance. He noted that the recommendation is that the final plat be approved for Wiser Subdivision. He noted the City believes that the cost to the City of the maintenance would outweigh the benefits that this facility would provide.

Council Member Snell, made a motion to grant final plat approval to the Wiser Subdivision at 507 South 800 East, second by Council Member Adams.

The vote on the motion was as follows:

Council Member Snell, Yea
 Council Member Page, Yea
 Council Member Adams, Yea
 Council Member Garn, Yea
 Council Member Lee, Yea

The motion passed unanimously.

COUNCIL MEMBER REPORTS

Mayor Hiatt explained that he attended a gathering at Hill AFB, IOC today and he stated that an Airforce General greeted him and shared how wonderful the Kaysville City July 4th celebrations are.

Council Member Page expressed his appreciation to Mayor Hiatt for his support. He stated it is a good policy for our community leaders to give their cooperation and support.

Council Member Snell noted that the Pickleball group has now raised \$92,000 thus far. He expressed his thanks and appreciation for Tammy Wursten and the other volunteers that have worked hard to raise funds.

Council Member Snell noted that he would like to clarify that he was interviewed by the TV news crew but stated that he did not initiate the interviews. He noted that he was misquoted.

Council Member Adams stated that Council Member Snell requested the initial television interview.

Council Member Snell noted that he was called for the interview, and stated that he did not request the interview.

MINUTES

Mayor Hiatt asked for a motion to approve the Minutes for July 21, 2016.

Council Member Page made a motion to approve the Minutes for July 21, 2016, second by Council Member Lee.

The vote on the motion was as follows:

Council Member Snell, Yea
Council Member Page, Yea
Council Member Adams, Yea
Council Member Garn, Yea
Council Member Lee, Yea

The motion passed unanimously.

CLAIMS

Mayor Hiatt asked for a motion to approve the August 4, 2016 claims.

Council Member Snell made a motion to approve the current set of claims, second by Council Member Page.

The vote on the motion was as follows:

Council Member Snell, Yea
Council Member Page, Yea
Council Member Lee, Yea
Council Member Adams, Yea
Council Member Garn, Yea

The motion passed unanimously.

CALENDAR ITEMS

The current calendar items are listed on the website.

CLOSED SESSION TO DISCUSS THE CHARACTER, COMPETENCE, OR HEALTH OF AN INDIVIDUAL

Council Member Lee made a motion to move into a closed session to discuss the character, competence or health of an individual, second by Council Member Adams.

The vote on the motion was as follows:

Council Member Snell, Yea

Council Member Page, Yea

Council Member Lee, Yea

Council Member Adams, Yea

Council Member Garn, Yea

The motion passed unanimously.

Council Member Snell made a motion for adjournment at 10:11 p.m., second by Council Member Lee and passed unanimously.